

White, Marlene

From: Witkovski, Gary
Sent: Tuesday, May 23, 2017 11:51 AM
To: White, Marlene
Subject: FW: Response to Notice of Preliminary Findings - Raining Rose Inc.
Attachments: EPA - NOPF Response - May 2017.pdf; HPLC Waste.jpg; CAA Aisle Space.jpg; Dated Container.jpg

From: Kyle Hach [mailto:KHach@rainingrose.com]
Sent: Tuesday, May 23, 2017 11:45 AM
To: Witkovski, Gary <Witkovski.Gary@epa.gov>
Cc: Buehre, Joshua [USA] (Buehre_Joshua@bah.com) <Buehre_Joshua@bah.com>; Desiree D Hansen <DHansen@rainingrose.com>; Mike Hicks <MHicks@rainingrose.com>; Kyle Hach <KHach@rainingrose.com>
Subject: Response to Notice of Preliminary Findings - Raining Rose Inc.

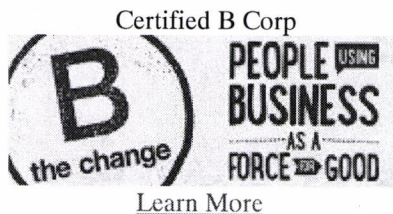
Mr. Gary Witkovski – please find attached the response to the inspection conducted by Joshua Buehre of Booz Allen Hamilton Inc. on May 10, 2017.

Response to Notice of Preliminary Findings
Raining Rose Inc.
EPA ID - IAR000521807

Thanks

Kyle Hach
Raining Rose Inc.
Vice President of Operations

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RCRA 6/1/2017



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May 23, 2017

Via Email (witkovski.gary@epa.gov)

Gary Witkovski
Environmental Engineer
Neal Smith Federal Building
210 Walnut Street, Room 473
Des Moines, IA 50309-2109

RE: Response to Notice of Preliminary Findings
EPA ID - IAR000521807

Dear Mr. Witkovski:

This responds to the EPA Inspection conducted by Joshua Buehre of Booz Allen Hamilton Inc. on May 10, 2017 at Raining Rose Inc., 100 30th Street Drive Southeast, Cedar Rapids, Iowa.

I appreciated Joshua's diligence when inspecting our facility, and willingness to be constructive while observing our practices. Raining Rose Inc. has been committed to correcting all findings and responding to other constructive dialog that took place during the inspection.

If you have any questions regarding this response, please feel free to contact the undersigned at (319) 362-8101.

Sincerely

Kyle D. Hach
Vice President of Operations

For convenience to the reviewer, the EPA observations are listed below, followed by the Company's response.

Finding #1

Failure to keep satellite accumulation container closed.

Company Response

- The finding was corrected on May 19, 2017.
- The short term solution is using parafilm to seal the opening of the container. The company will maintain this solution while working towards a permanent solution of sealing the drainage hoses from the HPLC. It is expected to have a permanent solution in place by June 30, 2017.

Finding #2

Failure to maintain adequate aisle space in hazardous waste container accumulation area to allow for container management and emergency equipment use.

Company Response

- The finding was corrected on May 22, 2017.
- Along with the area being partitioned by tape, signs were placed in the storage area for additional awareness.

Finding #3

Failure to mark hazardous waste storage container with an accumulation start date.

Company Response

- The finding was corrected on May 15, 2017.
- The container has now been marked showing the accumulation start date.
- In addition, the area has been changed from a satellite accumulation area to a central accumulation area.

X-Z. Implementation of a CCR Permit Program in Indian Country and non-participating states

1. AUTHORITY.

To perform all U.S. Environmental Protection Agency functions and responsibilities relative to the implementation of a CCR permit program for CCR facilities located in 1) non-participating states; and 2) Indian Country.

2. TO WHOM DELEGATED.

Regional Administrators

3. LIMITATIONS.

- a. The Regional Administrator must obtain the concurrence of the Assistant Administrator for the Office of Land and Emergency Management and of the Office of General Counsel before issuing a permit consistent with the CCR regulations at 40 CFR 257 under Section 4005(d)(1) of SWDA.
- b. The authority to preside at hearings, and to resolve any appeal of a RCRA CCR permit is retained by the Environmental Appeals Board (1-38A).

4. REDELEGATION.

This authority may not be redelegated.

5. ADDITIONAL REFERENCES.

WIIN, Section 2301, Subtitle C – Control of Coal Combustion Residuals.
Delegation of Authority 1-38A.